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8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 RUSSELL E. BURNS, et al., as Trustees of
the OPERATING ENGINEERS' HEALTH
12 AND WELFARE TRUST FUND, et al.,

Case No.: C13-5209 CW

AMENDED JUDGMENT

13 Plaintiffs,

14 v.

15 R.C. KNAPP, INC., et al.,

16 Defendants.
17

18 For the reasons set forth in Magistrate Judge Westmore's Report and Recommendation Re
19 Amended Motion for Default Judgment filed May 22, 2014 and adopted by this Court, and based
20 upon Plaintiffs' Request for Entry of Amended Judgment filed December 3, 2014,

21 IT IS HEREBY ORDERED AND ADJUDGED

22 That an amended default judgment is entered against Defendant R.C. Knapp, Inc. only.
23 Plaintiff Russell E. Burns in his capacity as Trustee of the Operating Engineers' Health and
24 Welfare Trust Fund for Northern California; Richard Piombo in his capacity as Trustee of the
25 Operating Engineers' Health and Welfare Trust Fund for Northern California; Pension Trust Fund
26 for Operating Engineers; Pensioned Operating Engineers' Health and Welfare Fund; Operating
27 Engineers and Participating Employers Pre-Apprenticeship, Apprentice and Journeyman
28 Affirmative Action Training Fund; Heavy and Highway Committee; and Operating Engineers

1 Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO shall recover
2 from Defendant R.C. Knapp, Inc:

3 (1) Unpaid contributions in the amount of \$89,205.94;

4 (2) Liquidated damages on the unpaid and late-paid contributions in the amount of
5 \$56,099.73;

6 (3) Interest on the unpaid and late-paid contributions in the amount of \$9,055.28;

7 (4) In connection with the 2011-2013 audit, unpaid contributions in the amount of
8 \$18,787.56, liquidated damages in the amount of \$1,604.18, interest in the amount of
9 \$1,202.09, and \$1,176.00 fee for performing the audit;

10 (5) Reasonable attorneys' fees in the amount of \$7,168.50; and

11 (6) Costs in the amount of \$530.71.

12 In addition, interest shall continue to accrue on amounts owed at a rate of 10% per annum,
13 from April 30, 2014 until paid, and at post-judgment interest rates on the balance of the
14 judgment.

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16 Dated: 12/8/2014


UNITED STATES DISTRICT COURT JUDGE